

**REMARKS**

Claims 1 and 3-21 are pending. In the Office Action mailed May 19, 2004, the Examiner rejected claims 1-9, 11-17 and 19-21 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,577,622 ("Schuster"). The Examiner rejected claims 10 and 18 under 35 U.S.C. 103(a) as being obvious over Schuster.

Applicants' disclosure is directed generally toward systems and methods for providing configurations for telephones using a central server in a data network telephony system. In one embodiment, for example, a data network telephone can communicate with a telephone configuration server in order to provide the telephone configuration server with a telephone part number (e.g., a serial number) for the data network telephone. The telephone configuration server can store associations between telephone part numbers and service provider configurations. In response to receiving the service provider configuration, the telephone configuration can determine an associated service provider configuration. The telephone configuration server can then provide the service provider configuration to the data network telephone. In an alternate embodiment, the telephone configuration server may provide the data network telephone with a service provider proxy address that the data network telephone can subsequently use to obtain the service provider configuration for its telephone part number. Other embodiments are also possible.

Schuster, however, fails to teach or suggest all elements of Applicants' independent claims. Specifically, the Examiner associates Schuster's phone numbers (e.g., 8475551212@3Com.com) with Applicants' part numbers. The Examiner then refers to col. 10, lines 14-29 and col. 7, line 57 through col. 8, line 4 as purportedly teaching sending a service provider configuration to a data network telephone. These sections, however, merely discuss registration with a SIP server. For example, col. 10, lines 11-20 describe that on power-up a data network telephone "sends a SIP

REGISTER message to the default registrar, such as network telephony servers 250, 238, and 237. When a call arrives at one of the network telephony servers 250, 238, or 237 for any of the registered SIP URLs, the server will forward the call to the appropriate destination."

Thus, this section just describes the operation of SIP, and it does not teach or suggest sending a service provider configuration to the data network telephone in response to receiving a part number. In fact, this section does not teach or suggest sending anything to the data network telephone – let alone a service provider configuration – in response to receiving the SIP REGISTER message. Only if another device places a call to the data network telephone, does this section describe routing the call to the data network telephone.

Col. 7, line 57 through col. 8, line 4 refer to the same "first, second and third network telephony connection servers 250, 238, and 237 [that] provide telephone registration" for data network telephones. This section again does not teach or suggest sending a service provider configuration to a data network telephone, let alone in response to receiving a part number from the data network telephone. While the Examiner refers to a description of PBX CLASS features as corresponding to Applicants' service provider configurations, these PBX CLASS features are unrelated to the SIP passages in Schuster referred to by the Examiner. Therefore, any SIP registration by a data network telephone described in Schuster would have nothing to do with these PBX CLASS features or their configuration on the data network telephone.

With regard to claim 2, its elements have been amended to independent claim 1, and claim 2 has been canceled. Claim 1, as amended, includes the telephone configuration server providing a service provider proxy address to a data network telephone. The service provider proxy address is associated with a service provider server that the data network telephone can then access to configure the data network telephone. To find this element, the Examiner refers to a section of

Schuster that discusses SIP registration and call processing. See col. 9, lines 10-16. This section is again unrelated to the description of PBX CLASS features the Examiner correlates to Applicants' service provider configuration. Therefore, Schuster does not teach or suggest sending to the data network telephone, in response to receiving a part number, a service provider proxy address associated with a service provider operable to configure the data network telephone.

As Schuster fails to teach or suggest all elements of Applicants' claims, independent claims 1, 7, 11, 14 and 19 are allowable. Accordingly, dependent claims 3-6, 8-10, 12-13, 15-18 and 20-21 are also allowable.

With regard to claims 10 and 18, Applicants note that the subject matter of the reference and the claimed invention were, at the time the invention was made, subject to an obligation of assignment to 3Com Corporation. Since this application was filed after November 29, 1999, 35 U.S.C. 103(c) disqualifies Schuster as the basis for any proper 103(a) rejection. Therefore, claims 10 and 18 are allowable.

Applicants submit that the application is in condition for allowance. If any questions or issues remain, the Examiner is invited to contact Applicants' attorney, Brian Harris, at his direct dial number of (312) 913-3303.

Respectfully submitted,

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